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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

Arizona Corporation Commission

DOCKETED

SEP 26 2002

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY	
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TROY AND TRACY DENTON, et al.,

Complainants,

vs.

QWEST CORPORATION,

Respondents.

Docket No. T-01051B-02-0535
(Consolidated)

**QWEST CORPORATION'S
RESPONSE TO STAFF'S MOTION
FOR AN EXTENSION**

Qwest Corporation ("Qwest") hereby responds to the Arizona Corporation Commission Utility Division Staff's ("Staff") September 19, 2002¹ Motion for an Extension to file its Reply to Qwest's consolidated answer. Pursuant to the August 21, 2002 Procedural Order ("Order") in the above-captioned docket, a hearing has been scheduled for **November 4, 2002**. Also pursuant to the Order, Qwest filed a consolidate answer to all complaints on August 26, 2002. Both Staff and Complainants were given until September 27, 2002 to file a Reply to Qwest's answer. On September 17, 2002, Complainants filed their Reply. Staff is now requesting 30 days from September 27, 2002 to file its Reply. If granted, Qwest would not receive Staff's Reply and presumable its position on the complaints and the issue of mandating telecommunication services outside a providers service territory until **October 28, one week prior to hearing**.

¹ Although Staff filed its motion on September 19, Qwest did not receive a copy until September 24 since it was not included on Staff's service list. Staff alerted Qwest to its intent to file a motion for an extension. After not receiving such a motion several days later, Qwest obtained copies directly from Docket Control. Attached as Exhibit A is Qwest's Notice of Appearance.

Although Replies to answers are generally not part of Arizona Corporation Commission ("Commission") or Court proceedings, the Commission has determined that a Reply is appropriate. As such, Qwest does not object to Staff's request but asks the Commission should it grant the extension to also extend the time for hearing so that all parties may propound the necessary discovery and adequately prepare for trial. The extension for hearing is essential since Staff's Reply may cause Qwest or Complainants to conduct additional and necessary discovery based on the information provided therein. Objections may be made; motions to compel required; depositions taken; and additional witnesses interviewed. All parties should be given the opportunity for these proper and reasonable pre-hearing procedures. The opportunity to Reply invites such discovery, and it is not reasonable or fair to require parties to act and prepare in only one week prior to hearing. Additionally, the number, complexity and importance of the issues raised in relation to the actual Complaints has already required a significant amount of discovery, which is currently underway. Qwest anticipates that discovery will continue throughout the next thirty days regardless of Staff's need for time to Reply. Thus, Qwest's request for a continuance is reasonable under the circumstances.

THEREFORE, Qwest respectfully requests that the November 4, 2002 hearing be continued for the same period of time that Staff is granted for filing its Reply. Alternatively, if the Commission is inclined to grant Staff's request but does not grant Qwest's analogous request to extend the hearing, Qwest objects to the request and asks the Commission to limit Staff's extension to ten days in order for all parties to continue proper discovery consistent with the Commission's intent to open the discovery process by allowing such Replies. Qwest's request is not meant to unduly delay these proceedings and is reasonable in light of Staff's motion.

DATED this 26th day of September, 2002.

FENNEMORE CRAIG, P.C.

By 

Timothy Berg

Theresa Dwyer

Darcy Renfro

3003 N. Central Avenue, Suite 2600

Phoenix, Arizona 85012-2913

Attorneys for Qwest Communications Corporation

An original and 10 copies
of the foregoing was delivered this
26th day of September, 2002, to:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPY hand-delivered this 26th day of September, 2002, to:

Christopher Kempley
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Philip J. Dion III
Administrative Law Judge
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

David M. Ronald
Legal Division
Arizona Corporation Commission
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Phoenix, Arizona 85007

A copy of the foregoing
was mailed this 26th day of
September, 2002, to:

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Susan Bernstein
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Prescott Valley, AZ 86312

By:  _____

EXHIBIT

A

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Chairman
2 JIM IRVIN
Commissioner
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Commissioner
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5 BEFORE THE ARIZONA CORPORATION COMMISSION

6 TROY & TRACY DENTON
7 V.
8 QWEST CORPORATION

Docket No. T-01051B-02-0535

9 APRIL & BRYANT PETERS
10 V.
11 QWEST CORPORATION

Docket No. T-01051B-02-0519

12 JOHN J. AND PATRICIA J. MARTIN
13 V.
14 QWEST CORPORATION

Docket No. T-01051B-02-0518

15 SUSAN BERNSTEIN
16 V.
17 QWEST CORPORATION

Docket No. T-01051B-02-0517

18 TOMMY L. WHITE
19 V.
20 QWEST CORPORATION

Docket No. T-01051B-02-0516

21 SANDRA RODR
22 V.
23 QWEST CORPORATION

Docket No. T-01051B-02-0515

24 KIRK & BOBBI LIMBURG,
25 V.
26 QWEST CORPORATION

Docket No. T-01051B-02-0514

ARNOLD & TAMARA FATHEREE
V.
QWEST CORPORATION

Docket No. T-01051B-02-0513

ERNIE & SHERRY THOMPSON
V.
QWEST CORPORATION

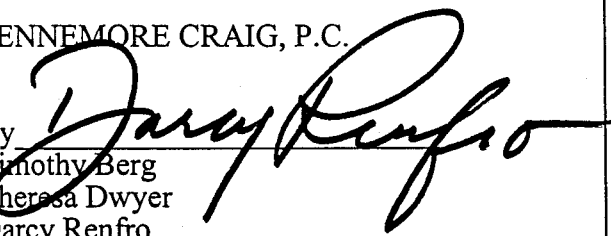
Docket No. T-01051B-02-0512

NOTICE OF APPEARANCE

1 Fennemore Craig, P.C. (Timothy Berg, Theresa Dwyer and Darcy Renfro) hereby enters
2 its appearance in the above-captioned dockets on behalf of defendant Qwest Communications
3 Corporation ("Qwest"). The undersigned wishes to receive copies of all documents filed in this
4 matter.

5 DATED this 2nd day of August, 2002.

6 FENNEMORE CRAIG, P.C.

7
8 By 
9 Timothy Berg
Theresa Dwyer
Darcy Renfro
3003 N. Central Avenue
Suite 2600
Phoenix, AZ 85012
Telephone: (602) 916-5000

11 Attorneys for Qwest Corporation

12
13 An original and ²⁵~~10~~ copies
14 of the foregoing was delivered this 2nd
day of August, 2002, to:

15 Docket Control
16 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

17 COPY delivered this 2nd day of Aug., 2002, to:

18 Christopher Kempley
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By: 

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